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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,706	02/01/2001	Masahiko Yamada	Q61215	3394

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SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3202

EXAMINER
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SELBY, GEVELL V

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**Office Action Summary**

Application No.

09/774,706

Applicant(s)

YAMADA, MASAHIKO

Examiner

Gevell Selby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-6 and 8-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8,9,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 10-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_



## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 12/27/05 have been fully considered but they are not persuasive. The applicant submits the prior art does not disclose the following limitations of the claimed invention:

1) specifying image processes in variance with the resolution, as stated in respect to claims 1,4,5, and 9;

2) storing or transferring information on a reference image-processing parameter set, as claimed in claim 4;

3) parameter correction means for correcting a reference image-processing parameter set according to a reference resolution image having a reference resolution, based on a difference between said reference resolution and a second resolution for storage or transfer differing from said reference resolution, so that it becomes a second parameter corresponding to a second image for storage or transfer which has said second resolution, as claimed in claim 5;

4) means for storing or transferring information on a reference image-processing parameter set according to a reference resolution image having a reference resolution and information of said reference resolution, along with a second image for storage or transfer which has a second resolution for storage or transfer differing from said reference resolution, as claimed in claim 8. The Examiner respectfully disagrees.

Examiner's Reply:

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "specifying



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image processes in variance with the resolution”) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Re claim 4) The Nonoshita reference discloses storing information on a reference image processing parameter, wherein the processing parameter is  $C + C1 + C2$  wherein  $C1 + C2$  is information on encoded difference data for converting from 400dpi image to 100 dpi reference image and  $C$  is the reference resolution (see column 6, lines 8-42).

Re claim 5) The Nonoshita reference discloses a parameter correction means (see figure 1, element 8: compression/expansion circuit) for correcting a reference image-processing parameter ( $C + C1 + C2$ ) set according to a reference resolution image having a reference resolution (100 dpi), based on a difference ( $C3 + C4 + C5$ ) between said reference resolution (100 dpi) and a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution, so that it becomes a second parameter ( $C1 + C2 + C3 + C4 + C5 + F$ ) corresponding to a second image for storage or transfer which has said second resolution (see column 4, lines 21-29 and column 6, lines 8-42: The compression/expansion circuit uses the encoded difference data to convert between the reference image of 100 dpi and the second image of 12.5 dpi and image and encoded data parameters are saved in the memory 2)

Re claim 8) The Nonoshita reference discloses means for storing (see figure 1, element 2: main memory) or transferring information ( $C1 + C2$ ) on a reference image-processing parameter set ( $C + C1 + C2$ ) according to a reference resolution image having a reference resolution (100 dpi) and information of said reference resolution ( $C$ ), along with a second image for storage or



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transfer which has a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution (see column 6, lines 11-23 and 38-57: the reference image of 100 dpi and the image of 12.5 dpi is saved in the main memory 2 along with information on the images and is transferred from the memory, converted and displayed).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-2, 4-6, and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Nonoshita et al., EP 559,376.**

In regard to claim 1, Nonoshita et al., EP 559,376, discloses a method of storing or transferring an image along with an image-processing parameter for processing said image, said method comprising, when storing or transferring a second image (12.5 dpi image) for storage or transfer which has a second resolution for storage or transfer differing from a reference resolution (100 dpi image), the steps of:

correcting a reference image-processing parameter set according to a reference resolution image having said reference resolution, based on a difference between said reference resolution and said second resolution, so that it becomes a second parameter (encoded data C1-C5) corresponding to said and second image (see column 6, lines 38-



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55: The 12.5 dpi low resolution image uses the parameter (encoded data C1-C5) to convert to the higher resolution 100 dpi image);

storing or transferring said second parameter obtained by said correction, along with said second image (see column 6, lines 38-42).

In regard to claim 2, Nonoshita et al., EP 559,376, discloses a method of storing or transferring an image along with an image-processing parameter for processing said image, said method comprising, when storing or transferring a second image for storage or transfer which has a second resolution (12.5 dpi image) for storage or transfer differing from a reference resolution (100 dpi image), the step of:

storing or transferring information (encoded data C1-C5) on a reference image-processing parameter set according to reference resolution image having said reference resolution and information on said reference resolution along with said second image (see column 6, lines 38-55 and column 7, lines 4-10: The 12.5 dpi low resolution image uses the parameter (encoded data C1-C5) to convert to the higher resolution 100 dpi image).

In regard to claim 4, Nonoshita et al., EP 559,376, discloses a method of storing or transferring an image along with an image-processing parameter for processing said image, and processing said stored or transferred image by use of said stored or transferred parameter, said method comprising, when storing or transferring a second image for storage or transfer which has a second resolution (12.5 dpi image) for storage or transfer differing from a reference resolution (100 dpi image), the steps of:



storing or transferring information (encoded data) on a reference image-processing parameter set according to a reference resolution image having said reference resolution and information on said reference resolution along with said second image (see column 6, lines 38-42 and column 7, lines 4-10: the image-processing parameter is  $C + C1 + C2$  wherein  $C1 + C2$  is information on encoded difference data for converting from 400dpi image to 100 dpi reference image and  $C$  is the reference resolution);

correcting said stored or transferred reference image-processing parameter, based on said stored or transferred information on said reference resolution, so that it becomes a second parameter (encoded data  $C1-C5$ ) corresponding to said stored or transferred second image (see column 6, lines 38-55: The 12.5 dpi low resolution image uses the parameter (encoded data  $C1-C5$ ) to convert to the higher resolution 100 dpi image); and

processing said stored or transferred second image by use of said second parameter obtained by said correction (see column 6, lines 51-54).

In regard to claim 5, Nonoshita et al., EP 559,376, discloses an apparatus for storing or transferring an image along with an image-processing parameter for processing said image, said apparatus comprising:

a parameter correction means (see figure 1, element 8: compression/expansion circuit) for correcting a reference image-processing parameter ( $C + C1 + C2$ ) set according to a reference resolution image having a reference resolution (100 dpi), based on a difference ( $C3 + C4 + C5$ ) between said



reference resolution (100 dpi) and a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution, so that it becomes a second parameter ( $C1+C2+C3+C4+C5+F$ ) corresponding to a second image for storage or transfer which has said second resolution (see column 4, lines 21-29 and column 6, lines 8-42: The compression/expansion circuit uses the encoded difference data to convert between the reference image of 100 dpi and the second image of 12.5 dpi and image and encoded data parameters are saved in the memory 2)

means (main memory 2) for storing or transferring said second parameter obtained by said correction, along with said second image (see column 6, lines 38-42).

In regard to claim 6, Nonoshita et al., EP 559,376, discloses an apparatus for storing or transferring an image along with an image-processing parameter for processing said image, said apparatus comprising:

means (main memory 2) for storing or transferring information (encoded data C1-C5) on a reference image-processing parameter set according to a reference resolution image (100 dpi image) having a reference resolution and information on said reference resolution, along with a second image (12.5 dpi image) for storage or transfer which has a second resolution for storage or transfer differing from said reference resolution (see column 6, lines 38-55 and column 7, lines 4-10: The 12.5 dpi low resolution image uses the parameter (encoded data C1-C5) to convert to the higher resolution 100 dpi image).



In regard to claim 8, Nonoshita et al., EP 559,376, discloses a system for storing or transferring an image along with an image-processing parameter for processing said image, and processing said stored or transferred image by use of said stored or transferred parameter, said system comprising:

means for storing (see figure 1, element 2:main memory) or transferring information (C1+C2) on a reference image-processing parameter set (C+C1+C2) according to a reference resolution image having a reference resolution (100 dpi) and information of said reference resolution (C), along with a second image for storage or transfer which has a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution (see column 6, lines 11-23 and 38-57 and column 7, line 4-10: the reference image of 100 dpi and the image of 12.5 dpi is saved in the main memory 2 along with information on the images and is transferred from the memory, converted and displayed);

parameter correction means (compression/expansion circuit 8: see column 4, lines 20-29) for correcting said stored or transferred reference image-processing parameter, based on said stored or transferred information on said reference resolution, so that it becomes a second parameter (encoded data C1-C5) corresponding to said stored or transferred second image (see column 6, lines 38-55: The 12.5 dpi low resolution image uses the parameter (encoded data C1-C5) to convert to the higher resolution 100 dpi image); and

means (expansion circuit) for processing said stored or transferred second image by use of said second parameter obtained by said correction (see column 6, lines 51-54).



In regard to claim 9, Nonoshita et al., EP 559,376, discloses an image processor (CPU 1: see column 4, lines 1-4) comprising:

parameter correction means (compression/expansion circuit 8: see column 4, lines 20-29) for correcting a stored or transferred reference image-processing parameter (encoded data), based on stored or transferred information on a reference resolution (400 dpi), so that it becomes a second parameter (encoded data corresponding to 12.5 dpi image) corresponding to a stored or transferred second image (12.5 dpi image) [see column 4, line 54 to column 5, line 7]; and

means for applying a predetermined image process to said stored or transferred second image by use of said second parameter obtained by said correction (see column 5, lines 8-13).

In regard to claims 21 and 22, Nonoshita et al., EP 559,376, discloses the apparatus according to claims 5 and 8, respectively. It is inherent the Nonoshita reference discloses wherein said parameter correction means comprises a second parameter calculator which calculates said second parameter ( $C1+C2+C3+C4+C5+F$ ) at least based on acquired information related to said second resolution, in order for the expansion/compression circuit to convert the data (see column 6, lines 51-54).

#### *Allowable Subject Matter*

5. Claims 10-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



*Conclusion*

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

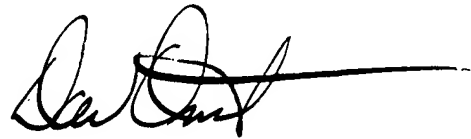
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

A handwritten signature in black ink, appearing to read 'David Ometz', with a long horizontal line extending to the right.

DAVID OMETZ  
SUPERVISORY PATENT EXAMINER